IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.8037 OF 2005
IN
CRIMINAL APPEAL NO.421 OF 2005

Anilkumar Ramkumar Rajput ..Applicant

Vs.

The State of Maharashtra ..Respondent

...

Mr.Vikas Shivarkar Advocate for Applicant
Ms.Shilpa V.Gajare A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : MARCH 21,2006
AT 2.35 P.M. IN CHAMBER

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking bail. The applicant had earlier preferred application for bail. The said application came to be rejected on merits by me by order dated 20th June, 2005. It is also rejected as the learned A.P.P. had pointed out that the applicant is involved in another case i.e.

C.R.No. 60 of 1999 of Turbhe Police Station. The said case is under Sections 399 and 402 of IPC. Liberty was granted to the applicant to prefer a fresh application for bail after disposal of the said C.R.No.60 of 1999. Now the learned advocate for the applicant has pointed out that the trial in the said case is over and the applicant has been acquitted thereunder. Hence, the applicant may be released on bail.

3. As stated earlier, the application for bail of the applicant was also rejected by me on merits. The sentence imposed on the applicant is seven years. The evidence of P.W.1 Shailendrakumar shows that the applicant had showed him country made "Katta" (firearm). Shailendrakumar has stated that the applicant is one of the four persons who entered in the car which he was driving and thereafter, the accused persons ran away with the said car. P.W.1 Shailendrakumar has identified the applicant in the test identification parade as well as in the Court. The evidence of Shailendrakumar and other evidence on record clearly brings out the involvement of the applicant in the present case. Hence, I do not think that this is a fit case to grant bail. Application is rejected.

[V.K.TAHILRAMANI,J.]